

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

MARHAYGUE, LLC,)	
)	
Plaintiff,)	Case No. 2:12-cv-00322-RMG-JDA
)	
v.)	SECOND STATUS UPDATE OF
)	PATENT REEXAMINATION
)	PROCEEDING
WOLFPAC TECHNOLOGIES, INC. and)	
ATLANTIC FOREST PRODUCTS, LLC,)	
)	
Defendants.		

Pursuant to the Court's Order (Dkt. No. 72), Plaintiff Marhaygue, LLC ("Marhaygue") and Defendants Wolfpac Technologies, Inc. ("Wolfpac") and Atlantic Forest Products, LLC ("Atlantic") jointly submit this second status report concerning the status of the pending reexamination proceedings for U.S. Patent No. 7,997,044 ("the '044 patent").

As the Court is aware, only claims 17 and 19 of the '044 patent were asserted in Plaintiff's motion for a preliminary injunction. Subsequently, the United States Patent and Trademark Office ordered reexamination of those claims along with other claims of the '044 patent. The Patent Office also issued an Office Action that initially rejected claims 17 and 19 of the '044 patent (amongst other claims). As a result of this reexamination, the Court stayed the present litigation. (Dkt. No. 72.) Pursuant to the Court's subsequent Order (Dkt. No. 78), the parties now jointly provide this status report concerning the reexamination proceeding.

Subsequent to the stay of this litigation, Marhaygue has filed a response to the Patent Office's rejections, and Wolfpac has filed a reply in support of the rejections. The reexamination is now awaiting further action by the Patent Office in view of the arguments raised in those filings.

Pursuant to the Court's Order, the parties will notify the Court within ten (10) days of any action by the Patent Office either finally rejecting, confirming, or finding patentable claims 17 and 19.

Respectfully submitted this 1st day of February, 2013.

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